

Docket No.: 1254-0321PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Takaji WAKITA et al.

Application No.: 10/589,902

Confirmation No.: 2324

Filed: August 17, 2006

Art Unit:

For: NUCLEIC ACID CONSTRUCT CONTAINING
FULLLENGTH GENOME OF HUMAN
HEPATITIS C VIRUS, RECOMBINANT
FULLLENGTH VIRUS GENOME-
REPLICATING CELLS HAVING THE
NUCLEIC ACID CONSTRUCT
TRANSFERRED THEREINTO AND METHOD
OF PRODUCING HEPATITIS C VIRUS
PARTICLE

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR
PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures dated March 21, 2008, Applicant respectfully submits:

☒ Attached is a copy of the Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures.

- ☐ Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration of the inventor(s) (☐ original ☐ photocopy), necessary for completing the filing requirements in connection with the above-identified application.
- ☐ Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration that was attached to the specification at the time of execution. The attached specification is a true copy of the specification that was filed in the U.S. Patent and Trademark office on United States of America, including any amendments thereto (if applicable) filed on even date therewith.
- ☐ The undersigned hereby declares that "Attorney Docket No. 1254-0321PUS1" on page 1 of the attached inventors' Declaration, corresponds to Appl. No. 10/589,902, filed August 17, 2006, entitled "NUCLEIC ACID CONSTRUCT CONTAINING FULLLENGTH GENOME OF HUMAN HEPATITIS C VIRUS, RECOMBINANT FULLLENGTH VIRUS GENOME-REPLICATING CELLS HAVING THE NUCLEIC ACID CONSTRUCT TRANSFERRED THEREINTO AND METHOD OF PRODUCING HEPATITIS C VIRUS PARTICLE".
- ☐ Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.
- ☐ See the attached Translator's Verification; or
- ☐ The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.
- ☐ Attached are 0 sheet (s) of drawings. Please substitute these replacement drawings for the corresponding 0 sheet(s) of drawings on file in the above-identified application.
- ☐ Attached is a Preliminary Amendment.

- ☐ Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).
- ☐ Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).
- ☒ Attached is the paper and CRF disk copy of the Sequence Listing.
- ☒ Attached an Amendment.
- ☐ Attached is a Claim for Priority document.
- ☐ Attached is a Supplemental Application Data Sheet (ADS).
- ☐ Submitted concurrently herewith **under separate cover** for recording is an Assignment.
- ☐ Attached is a Petition for Extension of Time.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Application No.: 10/589,902

Docket No.: 1254-0321PUS1

Dated: April 29, 2008

Respectfully submitted,

By 

Andrew D. Meikle

Registration No.: 32,868

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

ADP

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/589,902	Takaji Wakita	1254-0321PUS1

2292

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

INTERNATIONAL APPLICATION NO.

PCT/JP2005/003232

I.A. FILING DATE	PRIORITY DATE
02/21/2005	02/20/2004

CONFIRMATION NO. 2324
371 FORMALITIES LETTER

Sequence Listing
5121108



OC000000028962481

Date Mailed: 03/21/2008

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebs>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

LAMONT M HUNTER

Telephone: (703) 308-9140 EX'T 201